

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE:

Patricia Stewart,

Debtor

Capital One, N.A., its assignees and/or
successors in interest,

Movant

vs.

Patricia Stewart, Debtor
Denis Stewart, Co-Debtor,

Respondents

William C. Miller,

Trustee

CHAPTER 13

CASE NO.: 16-16768-mdc

HEARING DATE:

Thursday, April 13, 2017
11:00 a.m.

LOCATION:

U.S. Bankruptcy Court
Robert N.C. Nix Federal Courthouse
Courtroom No 2
900 Market Street
Philadelphia, PA 19107

ORDER

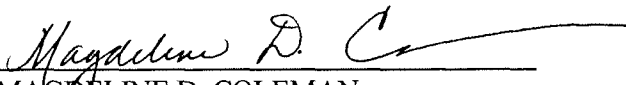
AND NOW, this 13th day of April 2017, upon consideration of the Motion for relief from the Automatic Stay and Co-Debtor Stay filed on behalf of Capital One, N.A., it is hereby ORDERED, ADJUDGED and DECREED that the Motion is granted and the automatic and co-debtor stays are terminated as it affects the interests of Movant, in the real property and improvements thereon commonly known as **465 Ambler Road, Fort Washington, PA 19034**.

It is further ORDERED, ADJUDGED and DECREED that this grant of relief from stay and co-debtor stay shall remain in full force and effect, notwithstanding any subsequent conversion of this case to another chapter.

It is further ORDERED, ADJUDGED AND DECREED that the stay of the Order as provided under Rule 4001 (a)(3), F.R.B.P., is hereby waived.

It is further ORDERED, ADJUDGED AND DECREED that if recorded in compliance with applicable state law governing notices of interest or liens in the Property, this Order is binding and effective under 11 U.S.C. § 362(d)(4)(A) and (B) in any other bankruptcy case purporting to affect the Property filed not later than 2 years after the date of entry of this Order, except that a debtor in a subsequent bankruptcy case may move for relief from this Order based upon changed circumstances or for good cause shown, after notice and a hearing. Any federal, state or local governmental unit that accepts notices of interests or liens in real property shall accept any certified copy of this Order for indexing and recording.

It is further ORDERED, ADJUDGED AND DECREED that, in addition to foreclosure, this Relief Order permits activity necessary to obtain possession of said collateral; therefore, Capital One, N.A. is permitted to engage in loss mitigation activity, including short payoff, short sale and the obtaining of a deed-in-lieu of foreclosure including authorization to negotiate inferior liens. Capital One, N.A. is further permitted to send information regarding these loss mitigation options directly to the debtor.


MAGDELINE D. COLEMAN
BANKRUPTCY JUDGE

Please send copies to:

Patricia Stewart
427 N. Spring Garden Street
Ambler, PA 19002-3437
Debtor

Denis Stewart
465 Ambler Road
Fort Washington, Pa 19034
Co-Debtor

William C. Miller
Chapter 13 Trustee
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Philadelphia, PA 19107

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